



California State Board of Pharmacy

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STATE AND CONSUMER SERVICES AGENCY

DEPARTMENT OF CONSUMER AFFAIRS

GOVERNOR EDMUND G. BROWN JR.

Communication and Public Education Committee Report

Ryan Brooks, Chair, Public Member
Shirley Wheat, Board Member
Ramon Castellblanch, PhD, Board Member
Debbie Veale, RPh, Board Member
Rosalyn Hackworth, Board Member
Albert Wong, Board Member

There was no meeting of the Communication and Public Education Committee in the past quarter. The next meeting is scheduled for March 21, 2013, in Sacramento.

a. FOR INFORMATION: Update on New Notice to Consumers Poster, Video Display Format Option for Notice to Consumers, and Notice of Interpreter Availability

1. Notice to Consumers Poster

Since the beginning of 2012, the Communication and Public Education Committee has been working on production of a new Notice to Consumers poster. The committee reviewed multiple design concepts before selecting the bright yellow, 18" x 24" poster. The new poster incorporates text pursuant to 16 California Code of Regulations Section 1707.6:

NOTICE TO CONSUMERS

California law requires a pharmacist to speak with you every time you get a new prescription.

You have the right to ask for and receive from any pharmacy prescription drug labels in 12-point font.

Interpreter services are available to you upon request at no cost.

Before taking your medicine, be sure you know: the name of the medicine and what it does; how and when to take it, for how long, and what to do if you miss a dose; possible side effects and what you should do if they occur; whether the new medicine will work safely with other medicines or supplements; and what foods, drinks, or activities should be avoided while taking the medicine. Ask the pharmacist if you have any questions.

This pharmacy must provide any medicine or device legally prescribed for you, unless it is not covered by your insurance; you are unable to pay the cost of a copayment; or the pharmacist determines doing so would be against the law or potentially harmful to health. If a medicine or device is not immediately available, the pharmacy will work with you to help you get your medicine or device in a timely manner.

You may ask this pharmacy for information on drug pricing and use of generic drugs.

The new poster is currently being printed by the Office of State Printing and is scheduled to be mailed out to all pharmacies in California by the end of February. The mailing will also include the Notice of Interpreter Availability poster and a letter that explains requirements for displaying both posters (attached).

2. Video Display Format for the Notice for Consumers

The *Notice to Consumers* video display format has been finalized and will be available on CD for pharmacies that request it. The video will be available in English or Spanish. The video display was produced pursuant to 16 California Code of Regulations Section 1707.6:

- (a) In every pharmacy there shall be prominently posted, in a place conspicuous to and readable by a prescription drug consumer, a notice containing the text in subdivision (b). Each pharmacy shall use the standardized poster-Sized notice provided or made available by the board, unless the pharmacy has received prior approval of another format or display methodology from the board. The board may delegate authority to a committee or to the Executive Officer to give the approval. As an alternative to a printed notice, the pharmacy may also or instead display the notice on a video screen located in a place conspicuous to and readable by prescription drug consumers, so long as:
- (b) The video screen is at least 24 inches, measured diagonally;
- (c) The pharmacy utilizes the video image notice provided by the board;
- (d) The text of the notice remains on the screen for a minimum of 60 seconds; and
- (e) No more than five minutes elapses between displays of any notice on the screen, as measured between the time that a one-screen notice or the final screen of a multi-screen notice ceases to display and the time that the first or only page of that notice re-displays.

The pharmacy may seek approval of another format or display methodology from the board. The board may delegate authority to a committee or to the Executive Officer to give the approval.

3. Notice of Interpreter Availability

The Notice of Interpreter Availability poster is being printed by the Office of State Printing and will be mailed out by the end of February with the new Notice to Consumers poster. The 8.5 inch x 11 inch poster will also be available for download from the Board of Pharmacy website and will print on 8.5 inch x 11 inch paper.

The relevant section of this new notice is:

1707.6 (c) Every pharmacy, in a place conspicuous to and readable by a prescription drug consumer, at or adjacent to each counter in the pharmacy where dangerous drugs are dispensed or furnished, shall post or provide a notice containing the following text:

Point to your language. Interpreter services will be provided to you upon request at no cost.

This text shall be repeated in at least the following languages: Arabic, Armenian, Cambodian, Cantonese, Farsi, Hmong, Korean, Mandarin, Russian, Spanish, Tagalog, and Vietnamese.

Each pharmacy shall use the standardized notice provided or made available by the board unless the pharmacy has received prior approval of another format or display methodology from the board. The board may delegate authority to a committee or to the Executive Officer to give the approval.

The pharmacy may post this notice in paper form or on a video screen if the posted notice or video screen is positioned so that a consumer can easily point to and touch the statement identifying the language in which he or she requests assistance. Otherwise, the notice shall be made available on a flyer or handout clearly visible from and kept within easy reach of each counter in the pharmacy where dangerous drugs are dispensed or furnished, available at all hours that the pharmacy is open. The flyer or handout shall be at least 8 1/2 inches by 11 inches.

b. Discussion on Securing Consumer Comments on the Board's Regulation Requirements for Patient-Centered Labels and Translations for Limited English Speaking Individuals

The consumer survey soliciting feedback regarding the readability of prescription drug container labels was widely distributed. An electronic version of the survey was sent to several consumer groups, who in turn distributed the survey to their ListServe contacts. The survey was also translated into Chinese and Spanish and distributed by The California Pan Ethnic Health Network (CPEHN) to the appropriate audiences. Surveys have also been collected at local Senior Scam Stopper seminars sponsored by the Contractors State Licensing Board.

The board has received a total of 1204 completed surveys and the results are summarized in an attachment. Individual comments are being reviewed and categorized and a summary will be made available at the next Communication and Public Education Committee meeting.

c. Update on *The Script*

The next issue of *The Script* is currently in production. The issue will focus on application of laws and the forthcoming e-Pedigree requirements. The newsletter also lists the multiple disciplinary decisions made by the Board since the beginning of 2012.

d. Public Outreach Activities Conducted by the Board October 1 – December 31, 2012

State government continues to be subject to a travel freeze that restricts all but the most essential travel. The Department of Consumer Affairs must still preapprove all travel where a travel claim will be submitted. This has restricted board operations in all areas, including public and licensee outreach.

- October 1: Executive Officer Herold and Assistant Executive Officer Sodergren provided information about compounding issues, pharmacy laws and Board of Pharmacy issues at UCSF.
- October 9: Executive Officer Herold provides a webinar on e-pedigree pending and future regulations to attendees at LogiPharma.
- December 5: Executive Officer Herold provides an update of Board of Pharmacy issues and compounding issues to meeting of Sacramento Valley hospital pharmacists.
- December 19: Executive Officer Herold attends FDA-convened meeting on compounding issues to develop national policy involving public safety issues of compounding versus manufacturing by pharmacies.
- August 13 and 22; November 14; December 5 and January 15 – Public Information Officer Jamison staffed a booth at Senior Scam Stopper seminars hosted by the Contractors State Licensing Board. Ms. Jamison collected a number of consumer surveys on the new patient-centered labels.

AGENDA ITEM VIII

ATTACHMENT 1

Dear Pharmacy,

Enclosed are two new posters created by the Board of Pharmacy that must be posted in your pharmacy unless this information is provided to the public in another approved form (see Title 16, California Code of Regulations, Section 1707.6, also enclosed). The requirements and explanation for the new posters are provided below.

The Board is pleased to provide you with these materials. Please contact Jan Jamison at jan.jamison@dca.ca.gov or (916) 574-7957 if you have questions.

1. Notice to Consumers Poster (Section 1707.6(a) and (b))

The Board of Pharmacy has developed a new “Notice to Consumers” poster that must be posted in a prominent place in every California pharmacy as required by Title 16 section 1707.6(b) of the California Code of Regulations. The bright yellow, 18” x 24” poster consolidates and replaces the two existing notices (brown and turquoise in color) into a single poster.

The new poster includes information for consumers about the requirement for pharmacist consultation when prescription medication is first dispensed, the right to ask for generic drugs and several questions to ask the pharmacist before taking a medication. The poster also alerts consumers that they can ask for 12-point font on their prescription container labels or ask for interpreter services.

Foreign language versions of the poster are available in six additional languages -- Spanish, Vietnamese, Chinese, Tagalog, Korean and Russian. The foreign language version of the posters will be a smaller version of the poster (11” x 14”) and can be ordered from the board or downloaded from the board’s website at: <http://www.pharmacy.ca.gov/publications/publications.shtml#notice>.

Under new regulation requirements in section 1707.6(a), an alternative format or display may be used instead of the poster if your alternative format has been specifically approved by the board. This includes the option of a video format of the poster that can be used in place of the paper poster for display on a monitor or television screen. For information about seeking this approval, please contact Ms. Jamison through one of the methods listed at the top of this letter.

The board also has produced its own video format of the notice that is available in CD format upon request, or is available for downloading from the board’s website at: <http://www.pharmacy.ca.gov/publications/publications.shtml#notice>.

If the video format is used or will be requested, the regulations state that the monitor must be located in a place conspicuous to and readable by prescription drug consumers, and that:

- The video screen is at least 24 inches, measured diagonally;
- The pharmacy utilizes the video image notice provided by the board;
- The text of the notice remains on the screen for a minimum of 60 seconds, and;
- No more than five minutes elapses between displays of any notice on the screen, as measured between the time that a one-screen notice or the final screen of a multi-screen notice ceases to display and the time that the first or only page of that notice re-displays.

Pharmacies can also produce their own video versions of the Notice to Consumers and submit them for board approval. These requirements are listed in Title 16 Section 1707.6(a) of the California Code of Regulations.

2. Notice of Interpreter Availability “Point to Your Language” Notice (Section 1707.6(c))

The Board of Pharmacy has also developed and enclosed a second notice – which has specific posting requirements – to help limited English speaking consumers quickly identify their language if they require translation services.

The notice, titled *Point to Your Language*, displays text in the 12 primary languages in use in California – Arabic, Armenian, Cambodian, Cantonese, Farsi, Hmong, Korean, Mandarin, Russian, Spanish, Tagalog and Vietnamese – and informs consumers that interpreter services will be provided at no cost to them.

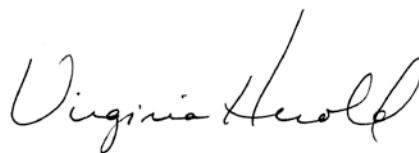
The notice is designed in a standard letter-sized format of 8.5” x 11” that also can be downloaded and printed from the board’s website at:

http://www.pharmacy.ca.gov/publications/point_to_your_language.pdf

Every pharmacy must use the standardized *Point to Your Language* notice provided by the board *unless* the pharmacy has received prior approval from the board to use another format or display. See section 1707.6(c) for details.

The poster must be posted in a conspicuous place at or adjacent to each counter in the pharmacy where dangerous drugs are dispensed or furnished, and made available at all hours that the pharmacy is open.

Thank you for your use of these materials.

A handwritten signature in black ink, reading "Virginia Herold". The signature is fluid and cursive, with the first name "Virginia" written in a larger, more prominent script than the last name "Herold".

Virginia Herold
Executive Officer

16 California Code of Regulations Section 1707.6, effective February 16, 2012:

§ 1707.6. Notice to Consumers.

- (a) In every pharmacy there shall be prominently posted, in a place conspicuous to and readable by a prescription drug consumer, a notice containing the text in subdivision (b). Each pharmacy shall use the standardized poster-sized notice provided or made available by the board, unless the pharmacy has received prior approval of another format or display methodology from the board. The board may delegate authority to a committee or to the Executive Officer to give the approval. As an alternative to a printed notice, the pharmacy may also or instead display the notice on a video screen located in a place conspicuous to and readable by prescription drug consumers, so long as:

- (1) The video screen is at least 24 inches, measured diagonally;
- (2) The pharmacy utilizes the video image notice provided by the board;
- (3) The text of the notice remains on the screen for a minimum of 60 seconds; and
- (4) No more than five minutes elapses between displays of any notice on the screen, as measured between the time that a one-screen notice or the final screen of a multi-screen notice ceases to display and the time that the first or only page of that notice re-displays.

The pharmacy may seek approval of another format or display methodology from the board. The board may delegate authority to a committee or to the Executive Officer to give the approval.

- (b) The notice shall contain the following text:

NOTICE TO CONSUMERS

California law requires a pharmacist to speak with you every time you get a new prescription.

You have the right to ask for and receive from any pharmacy prescription drug labels in 12-point font.

Interpreter services are available to you upon request at no cost.

Before taking your medicine, be sure you know: the name of the medicine and what it does; how and when to take it, for how long, and what to do if you miss a dose; possible side effects and what you should do if they occur; whether the new medicine will work safely with other medicines or supplements; and what foods, drinks, or activities should be avoided while taking the medicine. Ask the pharmacist if you have any questions.

This pharmacy must provide any medicine or device legally prescribed for you, unless it is not covered by your insurance; you are unable to pay the cost of a copayment; or the pharmacist determines doing so would be against the law or potentially harmful to health. If a medicine or device is not immediately available, the pharmacy will work with you to help you get your medicine or device in a timely manner.

You may ask this pharmacy for information on drug pricing and use of generic drugs.

- (c) Every pharmacy, in a place conspicuous to and readable by a prescription drug consumer, at or adjacent to each counter in the pharmacy where dangerous drugs are dispensed or furnished, shall post or provide a notice containing the following text:

Point to your language. Interpreter services will be provided to you upon request at no cost.

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AGENDA ITEM VIII

ATTACHMENT 2

California State Board of Pharmacy
Prescription Drug Label Survey Results

Total Responses: 1204

1. Are your prescription container labels easy to read?	YES	NO
	693	502
2. What changes would make them better? (see #1 below)		
3. What information on the label is most important to you? (see #2 below)		
4. Are the directions for taking the medicine easy to understand?	YES	NO
	959	245
5. If not, how could the information be improved? (see #3 below)		
6. Do you know why you take each of your medicines?	YES	NO
	1049	149
7. Would you like the general reason why you take the medicine to appear on the label (i.e., for pain, for infection, etc.)?	YES	NO
	963	232

Results for the open-ended questions are currently being tabulated, but the most frequent responses are summarized below:

1. What changes to the label would make them better:
 - Larger font
 - Reason for taking the drug
 - Clearer directions for use
2. What information on the label is most important to you?
 - Drug name
 - Dosing instructions
 - Refill information
3. How could the information on the label be improved?
 - Simple, easy-to-understand dosing instructions
 - Larger font
 - List side effects/contraindications